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TAGS: PHUM KDEM PREL PGOV I2

SUBJECT: DPM HUMAN RIGHTS ADVISOR COMPLAINS ABOUT PRISONS

REF: 07 BAGHDAD 0001

Classified By: POLCOUNS MARGARET SCOBAY FOR REASONS 1.4 (b) AND (d)

¶1. (S) Summary. Shakir Farhan, Human Rights Advisor to Deputy Prime Minister Salaam Zowbaie, expressed concern to PolOff in February conversations about Jaysh al-Mahdi militia infiltration of the Ministry of Justice prison system. He said the Director General of Prisons Juma'a Hussein (ref) associated with the JAM organization involved in the abduction and deaths of several Sunni detainees housed in the Ministry of Justice prison system. Previous reftel have reported on this potential problem, though it is noteworthy that this issue has now reached the ears of the DPM's office. In other topics, Farhan stressed the need for independent prison inspections, and urged that the US support the DPM's office in participating in prison visits. End Summary.

¶2. (S) In a series of exchanges in February, human right advisor to DPM Zowbai, Shakir Farhan told EmbOffs that he was concerned about continued reports he had received on JAM militia infiltration in MOJ's prison system - an infiltration he claimed was sanctioned by Director General of Prisons Juma'a Hussein. Farhan alleged that DG Juma'a worked closely with Capt Ammar of the records database to coordinate a traceless transfer of various Sunni detainees to JAM cells, where the detainees would be abducted and presumably killed. Likewise, Farhan said, Juma'a would coordinate the traceless releases of Shia detainees linked with the JAM organization. Farhan reported that over the past year, the JAM network within MOJ's prison system had increased, allowing for these activities to occur.

¶3. (S) Farhan explained that his office had been receiving these reports from several employees within the Ministry of Justice. According to Farhan's information, the Minister of Justice wanted to replace the DG, but was hesitant to do so for security and political reasons. Instead, the Minister had attempted to check Juma'a's directorate by appointing staff who would monitor and report back on suspicious activities. However, Farhan alleged, these employees were often kidnapped or killed.

¶4. (S) In other conversation topics, Shakir Farhan expressed concern over the treatment of detainees in all detention facilities, particularly those belonging to MoI. He said that abuse and torture were common occurrences, and that outside inspectors were prevented from visiting these facilities and thereby preventing the abuse. Farhan acknowledged that the Human Rights Ministry was visiting detention facilities, but argued that an independent "outsider" would be more adept and less biased in checking on potential abuse. He lamented that the DPM was ignored by MoI, was blocked from playing a role in these issues, and requested the US's support the DPM's office role in inspections.

5.(S) Comment: Reftel reported on conversations with Minister of Justice al Shibli who said that he was taking steps to replace Juma'a. This has not yet occurred though DoJ and Embassy reps have continued to push for this action. Though the role of Juma'a in these activities is not clear, what is clear is that at best he is being pressured to look the other way. Despite these negative allegations against the Ministry of Justice, the Ministry of Justice prisons are still considered to be vastly better in quality and treatment of prisoners than MoI and MoD facilities. DoJ/ICITAP prison advisors are a primary reason for this, and have worked to address these allegations with closer monitoring of prison records and of detention personnel.

KHALILZAD